

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FRANK VOTH,

Plaintiff,

2:12-cv-01156-AA

v.

ORDER

R. COURSEY, et al.,

Defendants.

AIKEN, District Judge.

On December 17, 2012, plaintiff filed a motion (#48) seeking an "'Emergency Order' directing the defendants at (OSCI) to refrain from any further retaliation, inhumane treatment, cruel, unusual punishment, and unnecessary rigor being inflicted upon plaintiff while incarcerated at (OSCI)."¹

¹On January 21, 2013, defendants filed a "Response to Plaintiff's Fourth Motion for Preliminary injunction" (#62) and the Declaration of Damien Munsinger (#63). Defendants' response was to the issue of legal envelopes raised in plaintiff's Motion for Preliminary Injunction (#36). Plaintiff's Motion (#36) was denied

Plaintiff has not alleged any specific facts that would establish he is being subjected to any cruel or unusual punishment, or "unnecessary rigor." Moreover, plaintiff has not requested any specific relief.

Accordingly, he has failed to establish any of the The relevant factors for determining whether a preliminary injunction should issue. See, United States v. Odessa Union Warehouse, 833 F.2d 172, 174 (9th Cir. 1987); see also, Stanley v. University of Southern California, 13 F.3d 1313, 1319 (9th Cir. 1994).

Plaintiff's Motion for TRO and Preliminary Injunction (#48) is denied.

IT IS SO ORDERED

DATED this 22nd day of February, 2013.



Ann Aiken
United States District Judge

as moot in the court's Order (#46) entered December 10, 2012.